GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Roads & Buildings – The A.P. State Roads Fee (Determination of Rates and Collection) Rules, 2020, Fresh Rules – Orders – Issued.

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TRANSPORT, ROADS & BUILDINGS (R.V) DEPARTMENT

G.O.Ms.No.22 Dated:19-11-2020

Read the following:

1. G.O.Ms.No.74, TR&B (R.I) Department, Dated: 21-02-2009.
2. From the Chief Engineer (R&B) Managing Director & Andhra Pradesh Road Development Corporation, Andhra Pradesh, Vijayawada Lr. No: 3/ APRDC/ PD/EE/DEE-7/RMS Enr. /Fee Rules , Dated: 18.09.2020.

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ORDER :-

In the reference 1st read above Government of Andhra Pradesh has been issued orders for implementation of Andhra Pradesh State Roads (Collection of Fees from any person for the use of Section of State Roads/ Permanent Bridge/ Temporary Bridge on Andhra Pradesh State Roads) Rules, 2007.

2. In the circumstances reported by the Chief Engineer (R&B) State Highways & Managing Director, Andhra Pradesh Road Development Corporation, Andhra Pradesh, Vijayawada in the letter 2nd read above due to change of scenario of Road sector and technological developments over the last decade Government hereby ordered to issue "The A.P. State Roads Fee (Determination of Rates and Collection) Rules, 2020(Annexed to this Order" in super session of the existing "Andhra Pradesh State Roads (Collection of Fees from any person for the use of Section of State Roads / Permanent Bridge / Temporary Bridge on A.P. State Roads) Rules, 2007".

3. The Chief Engineer (R&B) State Highways & Managing Director, Andhra Pradesh Road Development Corporation, Andhra Pradesh, Vijayawada shall take action accordingly.

4. This orders issues with the concurrence of Fin. Dept. vide their Uo.No.FIN01-FMUOMRAS/176/2020-FMU-TR-B 915851 (901362) Dated: 29/09/2020.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.T.KRISHNA BABU

PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Chief Engineer (R&B) State Highways & Managing Director,
Andhra Pradesh Road Development Corporation, Andhra Pradesh, Vijayawada.

Copy to:

The Commissioner of Printing, Stationary & Stores Purchase, Mutyalampadu, Vijayawada (with a request to publish the G.O. in the extraordinary Gazette and furnish 10 copies to Government.)
The Chief Engineer(R&B) Administration & NABARD, LWE, A.P., Vijayawada.
The Chief Engineer (R&B) MDR, Buildings & RSW.
The Chief Engineer (R&B), National Highways.
The Chief Engineer (R&B), Quality Control.
The G.A(Cabinet) Department.
The P.S. to Hon'ble M(R&B) Department.
The P.S. to Principal Secretary, TR&B Department.
SC/SF

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE

THE ANDHRA PRADESH STATE ROADS FEE (DETERMINATION OF RATES AND COLLECTION) RULES, 2020

In exercise of the powers conferred by the Clause 16 read with Sub Clause 2.h of Chapter IV of the Andhra Pradesh Road Development Corporation Act, 1998 and in supersession of the "Andhra Pradesh State Roads (Collection of Fees from any Person for the Use of Section of State Roads/Permanent Bridge/Temporary Bridge on A.P State Roads) Rules, 2007 vide G.O. Ms.No.74, Dated: 21.02.2009 of T, R&B Department" , except as respects things done or omitted to be done before such supersession, the Governor of Andhra Pradesh hereby makes the following rules for collection of Fees from any person for the use of Section of Andhra Pradesh State Roads / Permanent Bridges/ Temporary Bridges/Bypasses/Tunnels on State Roads, namely:-

1. Short title and commencement:

1.1 These Rules may be called The Andhra Pradesh State Roads Fee (Determination of Rates and Collection) Rules, 2020.

1.2 These Rules shall come into force on the date of their publication in the Official Gazette by Government of Andhra Pradesh.

1.3 These Rules shall not apply to agreements/contracts executed prior to the publication of these rules.

2. Definitions:

In these Rules unless the context otherwise requires,

i. "**Structure/Bridge**" means a permanent bridge or a temporary bridge, as the case may be, the cost of which includes the cost of Bridge proper, approach roads, guide bunds and protective works excluding the cost of fee plaza which is constructed, operated and maintained under a Concession Agreement.

ii. "**Road Section**" means continuous length of any A.P State Road which is constructed operated and maintained under a concession agreement.

iii. "**Bypass**" means a section of the state roads bypassing a village or town or city.

iv. "**Mechanical Vehicle**" means any laden or unladen vehicle designed to be driven under its own power, including a motor vehicle as defined in clause (28) of section 2 of the Motor Vehicle Act, 1988 (59 of 1988 and the rules made there under;-

v. "**Gross Vehicle Weight**" in respect of any vehicle means the total weight of the vehicles and load certified and registered by the registering authority as permissible for that vehicle under the Motor Vehicles Act, 1988 and the rules made there under;-

vi. "**Concession Agreement**" means an agreement entered into between the Government and any person/contractor authorized to collect Fee or in relation to investigate, design, engineer, procure, finance, construct, operate and maintain the project/project facilities of AP State Roads, Bypass, ROB/RUB or Permanent Bridge/ Temporary Bridge, Tunnel etc.

vii. "**Concessionaire**" means a person/firm with whom an agreement has been entered into.

viii. "**Government**" means the Government of Andhra Pradesh.

ix. **"APRDC"** means Andhra Pradesh Road Development Corporation enacted by the Legislative Assembly of the State of Andhra Pradesh through Act No.1 of 1998.

x. "**Local Ordinary Traffic**" means vehicles used for commercial purpose and includes personal vehicles of residents of villages/towns/cities on Road Project

whose boundary falls within radius of 5 km of Fee Plaza and such area has no alternative road connecting such village/town/city for which proof of residency shall be arranged from revenue authority/Mandal Development authority/Panchayat Officer not below the rank of Tahsildar or proof of residency on the basis of Passport, Driving License, Voter Identity Card, Aadhaar Card, NREGA Job Card, Lease Agreement, LPG Gas Bill & Power Bill, in addition to ownership proof of the vehicle.

xi. "**Local Commercial Traffic**" means vehicles used for commercial purpose and includes local transport operator plying within a distance of 5 km of Fee Plaza. The local transport operators shall provide proof for plying within 5 km i.e., Goods Challan for origin and destination clearly specifying the return details of the vehicle.

xii. "**User Fee**" means collection of prescribed fee from any person of various categories of mechanical vehicles for the use of AP State Roads/Permanent Bridges/Temporary Bridges/Bypasses/Tunnels on A.P State Roads. The User fee is also termed as Fee.

xiii. "**WPI**" means the Wholesale Price Index as published by Ministry of Industry, Government of India or any Index published in substitution thereof by the Government of India.

xiv. "**Financial year**: means the year commencing on the 1st day of April of a year and ending on 31st day of March of succeeding year;

xv. "**Base year**" means the period from 1st April 2019 to 31st March 2020;

xvi. "**Private Investment Project**" means a project relating to section of AP State Roads, permanent bridge or temporary bridge and bypass, as the case may be, for which an agreement is entered into with a Concessionaire.

xvii. "**Public Funded Project**" means a project which is not a private investment project, as defined above and includes a private investment project in respect of which the agreement has expired.

xviii. "**Executing Agency**" means the Nodal Agency appointed by Government of Andhra Pradesh, responsible for execution of contracts relating to operations of section of AP State Roads, Permanent or Temporary Bridges or Bypasses or Tunnels.

xix. "**Fee Plaza**" means any building, structure or booth made for collection of fee.

xx. "**FASTag**" means an onboard unit (transponder) or any such device fitted on the front wind screen of the vehicles;

xxi. "**FASTag lane of fee plaza**" is an exclusive lane in the fee plaza for movement of vehicles fitted with "FASTag" or any such device.

xxii. "**Pre-paid payment instruments**" means the instruments as defined by Reserve Bank of India;

xxiii. "**Electronic Fee Collection Infrastructure**" means set of equipment comprising hardware and software which shall facilitate electronic collection of user fees;.

3. Agreement and Levy of User fee:

3.1 User fee shall be levied and paid to the executing agency/Concessionaire on behalf of the Government of Andhra Pradesh by any person of the mechanical vehicles for the use of A.P State Roads/Permanent Bridges/Temporary Bridges/Bypasses and tunnels, constructed either through Public Funding or Private Investment, at the rates notified by the Government of Andhra Pradesh in the Official Gazette in respect of such State Road section or Permanent Bridges or Temporary Bridges or Bypasses or Tunnels.

3.2 The Government of Andhra Pradesh may enter into an agreement with any person/contractor authorized to collect Fee or in relation to operations of the whole or any part of Road section/Permanent Bridges/Temporary Bridges/Bypasses/ Tunnels on A.P State Roads to collect and return the fees of agreed rates from different categories of mechanical vehicles for an agreed period for the use of the facilities thus created, subject to terms and condition of the agreement and these rules.

3.3 The rates of fees and the period of collection shall be decided and shall be specified by notification in the Official Gazette by Government of Andhra Pradesh.

3.4 On completion of the period of collection of fees by the person, as per the agreement, all rights pertaining to the Section of AP State Roads/Permanent Bridges/Temporary Bridges/Bypass and tunnel on A.P State Roads shall be deemed to have been taken over by the Government of Andhra Pradesh and that Government shall continue with the collection of fees as notified from time to time.

3.5. No fee shall be levied for the use of the section of State Roads/Permanent/Temporary Bridges/Bypasses/Tunnels, as the case may be, by Two Wheelers, Three Wheelers, Tractors used for Agricultural purpose, Combine Harvesters and Animal drawn vehicles:

4. Base rates of Fee:

4.1 The fee for use of the section of State Roads, permanent/temporary bridges, bypasses or tunnels constructed through public funded project or private investment project shall be identical.

4.2 The Fee for use of a section of State Roads of Four or more lanes shall, for the base year 2019-20, be the product of the length of such section multiplied by the following rates, namely:-

S.No.	Category of Vehicle	Base rate of Fee per km (in Rupees)
1	Car, Jeep, Van or Light Motor Vehicle	0.90
2	Light Commercial Vehicle, Light Goods Vehicle or Mini Bus	1.80
3	Bus or Truck (Two Axles)	3.55
4	Heavy Construction Machinery (HCM) or Earth Moving Equipment (EME) or Multi-Axle Vehicle (MAV) (Three or more axles)	8.90

Explanation:- For the purposes of this Rule,

i. **'Car' or 'Jeep' or 'Van' or Light Motor Vehicle'** means any mechanical vehicle with a gross vehicle weight of which does not exceed 7.5 MT or the registered passenger carrying capability as specified in the certificate of Registration issued under Motor Vehicles Act, 1998 does not exceed 12 persons excluding the driver;

ii. **'Light Commercial Vehicle' or 'Light Goods Vehicle' or Mini Bus'** means any mechanical vehicle with a gross vehicle weight exceeding 7.5 MT but less than 12 MT or the registered passenger carrying capability as specified in the certificate of Registration issued under Motor Vehicles Act, 1998 exceeds 12 persons but not exceed 32 persons excluding the driver;

iii. **'Bus' or 'Truck'** means any mechanical vehicle with two-axles with a gross vehicle weight exceeding 12 MT but less than 20 MT or the registered passenger carrying capability as specified in the certificate of Registration issued under Motor Vehicles Act, 1998 exceeds 32 persons, excluding the driver;

iv. **'Heavy Construction Machinery, or 'Earth Moving Equipment' or 'Multi-Axle Vehicle'** means Heavy Construction Machinery or Earth Moving Equipment or mechanical vehicle including a mechanical multi-axle vehicle with three or more axles or vehicle (inclusive of the axle of the trailer, if any) with a gross vehicle weight exceeding 20 MT;

4.3 The user fee for a section of State Roads, having up to two-lanes shall be fifty percent of the rates of user fee specified under sub rule 4.2.

4.4 The user fee for a section of State Roads, having two-lane with paved shoulders (carriageway width 10 m) shall be sixty percent of the rates of user fee specified under sub rule 4.2.

4.5 The rate of fee for the use of structure,

(i). The rate of fee for the use of structure forming part of a road project, shall be calculated by converting the length of the structure into equivalent length of the road by multiplying by a factor of ten, provided that structure of length of 60 metres or less, on a road project will be considered as part of the normal length of road project for calculation of fee.

(ii) The rate of fee for use of Standalone structures like independent bridge or tunnel or flyover constructed with the cost exceeding Rupees twenty crore, shall, for the base year 2019-20, be as follows:-

Base rate of Fee (Rupees per vehicle per trip)				
Cost of permanent bridge or tunnel (Rupees in crore)	Car, Jeep, Van or Light Motor Vehicle	Light Commercial Vehicle, Light Goods Vehicle or Mini Bus	Truck or Bus	HCM, EME or MAV
20 to 25	9.00	13.50	27.00	39.60
For every additional rupees five crore or part there of exceeding Rupees twenty five crore and up to Rupees one hundred crore	1.80	2.70	5.40	8.10
For every additional rupees five crore or part there of exceeding Rupees one hundred crore and up to Rupees two hundred crore	1.35	2.10	4.00	6.10
For every additional Rupees five crore or part there of exceeding Rupees two hundred crore	0.90	1.35	2.70	4.00

(iii) The Fee for use of standalone structures shall be revised annually in accordance with rule 5.

4.6 The rate of fee for use of bypass forming part of a section of a state road constructed with the cost of rupees twenty crore or more, for the base year 2019-20, shall be one and a half times the rate of fee specified in rule 4.2 :

Provided that while computing the fee for a section of state road of which such bypass forms a part the length of such bypass shall be excluded from the length of such section of state roads:

Provided further that where the cost of such bypass is less than rupees twenty crore, then the rate of fee for the use said bypass shall be the same as that of the section of the state road of which it forms a part.

4.7 The rates fixed under sub-rule 4.2 may be reviewed every year in accordance with the procedure stipulated in Rule 5.

4.8 The calculated rates for specific length of Project stretch shall be rounded off to nearest five rupees

5. Annual Revision of rate of User Fee:

The annual revision of rate of user fee includes both three percent (3%) annual increase plus forty percent(40%) of increase in whole sale price index illustrated as below:

5.1 The rates specified under rule 4 shall be increased without compounding, by three per cent each year with effect from the 1st day of April, 2020 and such increased rate shall be deemed to be the base rate for the subsequent years.

5.2 The applicable base rate shall be revised annually with effect from the 1st April each year to reflect the increase in wholesale price index for the month December, 2018 (i.e. 119.7) and the wholesale price index for the month of December of the immediately preceding year in which such revision is undertaken but such revision shall be restricted to forty per cent of the increase in wholesale price index;

The formula for determining the applicable rate of fee shall be as follow;

$$\text{Applicable rate of fee} = \text{base rate} + \text{base rate} \times \left(\frac{\text{WPI A} - \text{WPI B}}{\text{WPI B}} \right) \times 0.40$$

Explanation:- for the purposes of this sub-rule:-

a. Applicable rate of fee shall be the rate payable by the user:
b. Base rate shall be the rate specified in sub rule 4.2 read with sub rule 5.1
c. WPI A means the wholesale price index for the month of December of the immediately preceding year: and
d. WPI B means the wholesale price index of the December, 2018 i.e. 119.70.

Illustration:

If the revision is to be made for the year 2020-21 by applying the whole sale price index of the month December 2019 (i.e. 123.00), then the rate for car, jeep, van or Light motor vehicle will be 0.937 as computed below.

$$\text{Applicable rate of fee} = 0.927 + 0.927 \times \left(\frac{123.00 - 119.70}{119.70} \right) \times 0.40 = 0.937$$

5.3 Annual revision of user fee under this rule shall be effective from the first of April every year.

6. Collection of fee:

6.1 Fee levied under these rules shall be collected by the State Government or the Executing Agency or the Concessionaire, as the case may be, at the Fee Plaza.

6.2 Every driver, owner or person in charge of a mechanical vehicle shall for the use of the section of state roads, permanent bridge, by-pass or tunnel, before crossing the fee plaza, pay the fee specified under these rules.

6.3 The fee collected under these rules shall be paid either in cash or pre-paid instruments, smart card or through FASTag or on- board unit (transponder) or any other like device;
Provided that no additional charges shall be realized for making the payment of fee by use of a smart card or on board unit (transponder) or any other such device.
Provided further that user of the vehicle not fitted with "FASTag" or vehicle without valid, functional "FASTag" entering into "FASTag lane" of the Fee plazas shall pay a fee equivalent to two times of the fee applicable to that category of vehicles as per rule 4.2.
6.4 Any driver, owner or person in charge of a mechanical vehicle who opts for the installation of on board unit (transponder) or any other such device for payment of fee, shall deposit a refundable security equivalent to the cost of the equipment with the Government of Andhra Pradesh, the Executing authority or the Concessionaire, as the case may be, for such installation and no interest shall accrue on such security deposit.
6.5 The person receiving such fee under rule 6.2, shall issue to the driver, owner or person in charge of mechanical vehicle a receipt, specifying therein the date and time of such receipt of fee, total amount received, and the class of vehicle for which the fee has been received:
Provided that where the fee is paid through smart card or on board unit (transponder) or any other such device, a receipt shall be issued on demand only.
6.6 In respect of Public funded projects the fee levied under these rules shall be collected by the Government or the Executing Agency as the case may be.
6.7 In case of Private Investment project, the collection of fee levied under these rules shall be made in accordance with the terms of the agreement entered into with the Concessionaire.

7. In-charge of fee Collection:

7.1 The person authorized to collect and retain the fees under these rules shall nominate a person as In-charge of fee collection and the person so nominated shall be responsible to ensure that fees are collected at not more than the agreed rates and the fee collected is smooth without causing undue hardship to the road users and for all other matters connected with the fee collection of such A.P State Roads/Permanent/Temporary Bridge/Bypass/Tunnels on A.P State Roads.
7.2 The name, address and telephone number of the in-charge of fee collection shall be displayed at suitable and conspicuous locations near the Fee Plaza.

8. Location of Fee Plaza

8.1 The executing authority or the concessionaire, as the case may be, shall establish a Fee Plaza beyond a distance of ten kilometers from a municipal or local town area limits:

Provided that the executing authority may, for reasons to be recorded in writing, locate or allow the Concessionaire to locate a Fee Plaza within a distance of ten kilometers of such municipal or local town area limits:

Provided further that where a section of AP State Roads, permanent/temporary bridges, bypasses or tunnels, as the case may be, is constructed within the municipal or town area limits from such limits, primarily for use of the residents of such municipal or town area, the Fee Plaza may be established within the municipal or town area limits.

8.2 Any other Fee Plaza on the same section of State Roads and in the same direction shall not be established within a distance of thirty kilometers;

Provided that where executing authority deems necessary, it may for reasons to be recorded in writing, establish or allow the concessionaire to establish another Fee Plaza within a distance of thirty kilometers:

Provided further that a Fee Plaza may be established within a distance of thirty kilometers from another Fee Plaza if such Fee Plaza is for collection of fee for a permanent bridge, bypass or tunnel.

9. Exemption from Payment of Fee:

9.1 No fee shall be levied and collected from a mechanical vehicle and a security vehicle,-

i. transporting and accompanying -

(a) the President of India;
(b) the Vice President of India;
(c) Prime Minister of India;
(d) Governor of a State;
(e) Chief Justice of India;
(f) Speaker of the House of People;
(g) Cabinet Minister of the Union;
(h) Chief Minister of State;
(i) Judge of the Supreme Court;
(j) Minister of State of the Union;
(k) Lieutenant Governor of a Union Territory;
(l) Chief of Staff holding the rank of full General or equivalent rank;
(m) Chairman of the Legislative Council of the State;
(n) Speaker of the Legislative Council of a State;
(o) Chief Justice of a High Court;
(p) Judge of a High Court;
(q) Member of Parliament;
(r) Army Commander or Vice Chief of Army Staff and equivalent in allied services;
(s) Chief Secretary to a State Government within concerned State;
(t) Secretary to Government of India;
(u) Secretary, Council of States;
(v) Secretary, House of People;
(w) The Foreign Dignitary on State visit;
(x) The members of Legislative Assembly of a State and Member of Legislative Council of a State within their respective States if he or she produces his or her identity card issued by the concerned legislation of the State;
(y) belonging to winners of a Gallantry award such as Param Vir Chakra, Ashok Chakra, Maha Vir Chakra, Kirti Chakra, Vir Chakra and Shaurya Chakra, if such awardees produce his photo identity card duly authenticated by the Competent Authority for such Award.

Explanation - For the purposes of this clause, "security vehicle" means the vehicle carrying security personnel from Central armed forces or Central para-military forces or State police.

ii. Used for official purpose by below mentioned officials on production of identity card issued by the concerned departments.

(a) Ministry of Defence including those which are eligible for exemption in accordance with the provisions of the Indian Toll (Army and Air Force) Act, 1901 and rules made there under, as extended to Navy also;

(b) the Central and State Armed Forces in uniform including para military forces and police

(c) Executive Magistrate;

(d) Fire Fighting Department or organization;

(e) Vehicles of Central/State Government officials on duty;

iii. Used as an Ambulance;

iv. Used as funeral van; and

v. Specially designed and constructed for use of a person suffering from some physical defect or disability.

10. Verification of fee collection:

10.1 It shall be the responsibility of the person referred to in sub-rule 3.1 to strictly ensure that all fees leviable are levied, fully collected and correctly maintained. The person shall submit certified copies of the statements of fee collection of specified intervals as required under the notification for fee collection under sub-rule 3.2.

10.2 The Government of Andhra Pradesh shall have the right to check the fee collection at any or all times through their designated officers.

11. Person to have rights to regulate traffic:

11.1 The person referred to in sub-rule 3.1 shall have powers to regulate and control the traffic, on such section of A.P State Roads/Permanent Bridge/Temporary Bridge/Bypass/Tunnel on A.P State Roads relating to which he is authorized to collect fees under these rules, in accordance with the provisions contained in Chapter VIII of the Motor Vehicle Act, 1988 for proper management thereof.

12. Tenure of fee collection:

12.1 The fee shall be collected in perpetuity by the Government of Andhra Pradesh.

12.2 The Executing Agency or the Concessionaire will collect the fee up to the tenure/period specified in the Concession agreement or up to the restricted period or extended period due to Termination or Capacity augmentation of the Project as the case may be.

12.3 Upon closure of the Concession period, the collection of fee may be continued by the Government or through the Agency appointed by the Government for such purpose.

13. Penalty for Charging Excess Fee:

13.1 In case, it is observed and/or established to the satisfaction of the Government that the Concessionaire/executing agency has charged fee in excess of the prescribed rate, the Government have the authority to impose a penalty of Rs. One Lakh or an amount equivalent of one day's fee receivable, whichever is higher and may provide the Concessionaire an opportunity of continuing the Fee Collection. However, in no case, the Government shall afford more than one opportunity to the Concessionaire/executing agency. In such case appropriate action will be taken at the discretion of the Competent Authority. The action taken by the Competent Authority is final.

13.2 The Government also, reserves the right to estimate the excess collection of fee made by the Concessionaire/executing agency and recover the same, which will be over and above the penalty imposed and to be recovered from the Concessionaire.

13.3 The termination under this clause shall make the Concessionaire/executing agency liable for unconditional forfeiture of the Performance Security.

14. Authorized representative of the Government:

14.1 The Government authorizes the Executive Engineer (R&B) concerned having jurisdiction over the AP State Roads, bypass, bridge, elevated road or ROB/RUB, as the case may be , to carry out all functions on its behalf.

14.2 The said Executive Engineer shall have the overall authority to control and supervise the work of collection of fee carried on by the Concessionaire/executing agency with a view to ensure that collection of fee is carried out smoothly, efficiently and without any hindrance or harassment to the users of A.P State Roads/Permanent Bridge/Temporary Bridge/Bypass/Tunnel.

14.3 The Concessionaire/executing agency shall keep records of all the complaints received and replied directly or otherwise by it and forward a copy on fortnightly basis to the Executive Engineer.

15. Discounts:

15.1 A driver, owner or person in charge of a mechanical vehicle who makes use of the section of State Roads, permanent/temporary bridges, bypasses or tunnels, may opt for such pass and he or she shall have to pay the fee in accordance with the following rates, namely

Amount payable	**Maximum number of one way journeys allowed**	**Period of validity**
One and half times of the fee for one way journey	Two	Twenty four hours from the time of payment
Two-third of amount of the fee payable for fifty single journeys	Fifty	One month from date of payment

15.2 The fee payable towards such discounts shall be paid through pre-paid instruments, smart card or through FASTag or on- board unit (transponder) or any other like device.

15.3 For the purpose of this notification "day" shall be counted as a continuous period of twenty – four hours.

15.4 A person who owns a mechanical vehicle registered for non-commercial purposes and uses it as such for commuting on a section of State Roads, Permanent/Temporary bridge, bypass or tunnel, may obtain a pass, on payment of fee at the base rate for the year 2019-20 of Rupees two hundred sixty five per calendar month for all lane categories and revised annually in accordance with Rule 5:

Provided that such pass shall be issued only if such driver, owner or person in charge of such mechanical vehicle resides within a distance of 5 km from the Fee Plaza specified by such person and the use of such section of State Roads, permanent bridge, bypass or tunnel as the case may be does not extend beyond the Fee Plaza next to the specified Fee Plaza:

Provided further that no such pass shall be issued if a service road or alternative road is available for use by such driver, owner or person in charge of a mechanical vehicle.

16. Additional fee for overloaded vehicles:

16.1 Without prejudice to the liability of the driver or owner or a person in charge of a mechanical vehicle under any law for the time being in force, a mechanical vehicle which is loaded in excess of permissible maximum gross vehicle weight in respect of such

vehicle shall not be permitted to use state road or crossing the fee plaza until the excess load has been removed from such mechanical vehicle.

16.2 The driver or owner or person in charge of a mechanical vehicle shall be liable to pay fee, for entering the overloaded vehicle on state road, to the user fee collecting agency, equal to fees as follows: -

Percentage of excess load over Maximum Permissible Gross Vehicular Weight	Multiplying factor to base rate of fees	Fees
(1)	(2)	(3)
0% to 20%	Two	(Fees applicable for such category of mechanical vehicle under sub-rule (2) of rule 4) X (Multiplying factor)
>20% to 40%	Four	
>40% to 60%	Six	
>60% to 80%	Eight	
>80% and above	Ten	

This provision shall be applicable on all Fee plazas.

16.3 The weight of a mechanical vehicle, as recorded at a weighbridge installed at the fee plaza, shall be the basis for levying the fee for overloading under this rule:

Provided that where no weighbridge has been installed at the fee plaza, the driver, owner or person in charge of the mechanical vehicle shall produce the receipt from the nearest weighbridge.

17. Additional charge for evasion of Fee

17.1 In the event that any vehicle uses the Road Project without payment of Fee due, the Concessionaire shall, subject to Applicable Law and Applicable Permits, be entitled to collect from such vehicle the Fee due and an amount equivalent to twice the fee due towards liquidated damages for attempt to make unauthorized use of the Road Project; provided that the collection of such Fee and liquidated damages shall be at the risk and cost of the Concessionaire & the Government shall not in any manner be liable on account thereof;

18. Display of Information

18.1 The executing authority or the concessionaire, as the case may be, shall publish a notice specifying the amount of fee to be charged from the mechanical vehicle, in at least one Newspaper, each in English and Telugu, having a wide circulation in such area.

18.2 The executing authority shall prominently display in Hindi and English one thousand meters ahead of the fee plaza and in English and Telugu five hundred meters ahead of the fee plaza,--

(i) the amount of fee payable for each class of vehicles and the discounts available under rule 15;

(ii) the categories of vehicles exempted from payment of fee; and

(iii) the name, address and telephone or contact number of the executing authority or the concessionaire, as the case may be.

18.3 The height of the display boards, their quality and size of lettering shall be clearly visible and legible to the users.

M.T.KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT